

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

March 14, 2018

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, March 14, 2018. The meeting was called to order at 7:02 p.m. by Council President Patil followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi, Patil, and Sendelsky.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Township Engineer O'Brien, Health Inspector Spearnock, Police Captain Formica, Fire Chief Latham and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on December 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Sendelsky seconded by Councilmember Diehl and duly carried, the Minutes of the Combined Meeting of December 20, 2017, Worksession Meetings of January 22, 2018 and February 26, 2018 and Regular Meetings of January 10, 2018 and February 28, 2018 were accepted as submitted. Councilmember Joshi abstained from December 20, 2017 minutes.

COUNCIL PRESIDENT'S REMARKS

Council President Patil made announcements of events as follows. Edison Chamber of Commerce, Taste of Edison is Monday, March 19th at Pines Manor 5:30pm to 8:00pm, Thursday, March 22nd in Council Chambers the New Community Center Forum from 7:00- 9:00pm, Saturday, April 7, 2018 at Lake Papaiani from 8:00am to 2:00pm Electronic Recycling, Monday, April 9, 2018 Council Worksession meeting Mr. DeNicola from White Buffalo will be doing a brief presentation on Deer Population, April 11, 2018 at the JCC on Oak Tree Road there will be a Holocaust Remembrance Ceremony, April 13, 2018 Health & Wellness from 11:00am – 2:00pm at the Pines Manor, Saturday April 14, 2018 North Edison Baseball Opening Day Parade starts at 9:00am from John Adams Middle School to Baseball complex, Sunday, April 22, 2018 Midtown Little league Opening Day at their field on Glenville will begin at 12:00noon. The 3rd Annual Clara Barton Neighborhood yard Sale is on Saturday, May 5, 2018.

Council Vice President Sendelsky added on March 21st in Council Chambers at 7:00pm the Thomas Edison Tower will have their annual meeting.

RESOLUTION OF RECOGNITION:

The following Resolution of Recognition was read in its entirety.

RESOLUTION R.139-032018

WHEREAS, Shreya Ghorpade, Savannah Marron, and Aashita Joshi were representing Edison New Jersey at the America's Cup Roller Skating Championship on January 18, 2018 in Kissimmee, Florida.

WHEREAS, Shreya Ghorpade, a 7 years old second grader started skating at the age of two and half years (2 ½) old for the Live Love Skate Artistic Team. She represented Edison New Jersey in the Tiny Tots Group which she received the First Place Gold Medal for the Tiny Tots group against participants from USA and Columbia.

WHEREAS, Savannah Marron, an 8 year old third grader started skating at the age of six (6) for the Live Love Skate Artistic Team. She represented Edison New Jersey in the Pre-Mini Group which she received First Place Gold Medal for the Pre-Mini Group against participants from USA, Ecuador and Columbia.

WHEREAS, Aashita Joshi, a 9 year old fourth grader just started in June of 2015 for the Live Love Skate Academy. She represented New Jersey at USA Roller Skating National Championship 2017 and won First Place. She also represented Edison New Jersey on January 18, 2018 in Kissimmee, Florida where she also received First Place Gold Medal for the Promotional Mini Group against participants from USA, Ecuador and Mexico.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, Township of Edison, Middlesex County, New Jersey, that it is fitting and proper for the Council to honor and commend these young students for their hard work and dedication to the sport of Roller Skating.

Council President Patil opened for public comments.

Vasant Naik, 2041 Oak Tree Road, he congratulated the girls and their parents for their dedication and time. He also thanked the Councilmembers for this recognition.

Irene Wall, 205 Fleet Avenue, 60 years ago she was a roller skater Congrats to you all.

Hearing no further comments, on a motion made by Councilmember Lombardi seconded by Councilmember Diehl and duly carried, this Public Hearing was closed.

Councilmember Lombardi congratulated the three girls, keep the same dedication and work ethic throughout your school years. On behalf of Edison Township we are proud.

Councilmember Diehl, congratulation on these awards at such a young age very impressive. You are publicly recognized for your achievements and I hope you remember this evening. Your family and friends also should be proud tonight, they are the people who support your success.

Council Vice President Sendelsky, congratulations, you all won Gold Medal your town is very proud. Keep up the good work.

Councilmember Gomez, feel the same as my colleagues congratulations on a great job and huge achievement, best of luck with everything.

Councilmember Joshi, to achieve at age you did, continue your passion whatever your dreams are. This is Women History Month, remember how far women have come in our history be sure that anything you want to do equal or better than men.

Councilmember Coyle, back in his youth he was a roller skater also. Thank your parents for their time and expense. You are all role models now.

Council President Patil, children you are the future and we recognize your success. On behalf of Edison Township Mayor Thomas Lankey, Edison Councilmembers, it is my pleasure to share and celebrate the outstanding performances of these children. The coaches and parent put in a lot of effort in developing their personalities of these young achievers. Ending with a quote from Ken Doherty of the 5 "s" of sports, stamina, speed, strength, skill and spirit, but the greatest of these is Spirit, keep the spirit high and congratulations.

Councilmember Gomez presented Shreya Ghorpade with her Resolution.

Councilmember Lombardi presented Savannah Marron with her Resolution.

Council President Patil presented Aashita Joshi with her Resolution.

The Parents of the children thanked the Council for this Recognition.

On a motion made by Councilmember Sendelsky seconded by Councilmember Lombardi this Resolution was adopted.

AYES - Councilmembers Coyle ,Diehl, Gomez, Joshi, Lombardi, Sendelsky and Council President Patil

NAYS – None

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on February 28, 2018 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.2000-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 39-12.19, "GUARANTEES AND RELEASES," MODIFYING PERFORMANCE AND MAINTENANCE GUARANTEE REQUIREMENTS PURSUANT TO CHANGES IN THE "MUNICIPAL LAND USE LAW."

(The above Ordinance O.2000-2018 can be found in its entirety in Ordinance Book #27)

Council President Patil declared the Public Hearing opened for O.2000-2018

None

Hearing no further comments, on a motion made by Councilmember Lombardi seconded by Councilmember Sendelsky and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Lombardi, seconded by Councilmember Sendelsky, the Ordinance was adopted.

AYES - Councilmembers Diehl, Coyle, Gomez, Joshi, Lombardi, Sendelsky and Council President Patil

NAYS - None

The following Ordinance, which was introduced by Title on February 28, 2018 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.2001-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 2-5.5 "CORPORATE SEAL," SETTING FORTH REQUIREMENTS FOR THE USE OR REPRODUCTION OF OFFICIAL TOWNSHIP EMBLEMS.

(The above Ordinance O.2001-2018 can be found in its entirety in Ordinance Book #27)

Council President Patil declared the Public Hearing opened for O.2001-2018

Bruce Diamond, 74 Calvert Avenue, is in favor of this. He said he has seen a senior day care bus around that is using our logo.

Irene Wall, 205 Fleet Avenue, asked who was responsible for putting this forth. She is in favor of and happy its' about time. Will there be a punishment if someone gets caught?

Council President Patil said he is the one who sponsored this change it will prohibit use in social media, print etc.

Mr. Northgrave explained the procedure if someone is using, however there is not a fine for miss use.

Hearing no further comments, on a motion made by Councilmember Diehl seconded by Councilmember Lombardi and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl , seconded by Councilmember Sendelsky , the Ordinance was adopted.

AYES - Councilmembers Diehl, Coyle, Gomez, Joshi, Lombardi, Sendelsky, and Council President Patil

NAYS – None

**NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR, WEDNESDAY, MARCH 28,
2018.**

The following ordinances were introduced by title:

O.2002-2018 AN ORDINANCE APPROVING THE APPLICATION FOR LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 225 RARITAN CENTER PARKWAY URBAN RENEWAL, LLC, CONCERNING THE PROPERTY KNOWN AS BLOCK 390.DD, LOT 8.B (ALSO KNOWN AS 225 RARITAN CENTER PARKWAY, EDISON, NEW JERSEY).

On a motion made by Councilmember Diehl seconded by Councilmember Gomez this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on March 28, 2018

AYES - Councilmembers Coyle ,Diehl, Gomez, Joshi, Lombardi, Sendelsky, and Council President Patil

NAYS – None

O.2003-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 11-11 “MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS,” SETTING FORTH REQUIREMENTS FOR THE LOCATION OF THE AFOREMENTIONED REGULATED ENTITIES WITHIN THE TOWNSHIP.

On a motion made by Councilmember Joshi seconded by Councilmember Sendelsky this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on March 28, 2018.

Councilmember Coyle, commented this is the first faze on regulation of massage parlors.

AYES - Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi Sendelsky, and Council President Patil

NAYS – None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Patil opened the meeting to the public for comments on Proposed Resolutions R.140-032018 through R.164-032018.

Walt Shneer, Park Way, Resolution R. 153-032018, he doesn't understand please explain.

Mr. Northgrave explained this is for the chemical company to access township property to remediate any contamination and restore our property.

Karen Halo, First Street, Resolution R. 155-032018, she has looked around to find out who is in this LLC. Where can she find out who are the members?

Mr. Northgrave, he will get her the information, its three or four members formed an LLC they own the gas station property.

Ms. Halo, the proposed building is four stories, was there any thought to light pollution.

Mr. Northgrave, the shadow will fall across Amboy Avenue. The front will be facing North

Ms. Halo asked about the Parking Deck a few months back. She is concerned on the parking issues with the amount of units with only 37 parking spaces.

Mr. Northgrave explained we authorized money to do a feasibility study but we never spent the money.

Mr. Northgrave explained this project is pursuant to the redevelopment plan that was adopted after two public meetings it is all set forth in the plan. This is consistent with the plan. If approved tonight you will be authorizing it to go to the planning board.

Esther Nemitz, 162B Fay Street, she is concerned this is the only plan it was over two years ago. Do I understand this is only what the planning board to consider is the plan itself. There should not be any development on that lot. This is the start of over development.

Mr. Northgrave the project is consistent with the redevelopment plan. This doesn't affect the planning board process. It is a redevelopment agreement that is consistent with the plan that was adopted two years ago, this council would be approving tonight.

Irene Wall, 205 Fleet Avenue, Resolution R.155-032018 what do the plans show 3 or 4 story. Where are we putting these children, we shouldn't consider this resolution.

Mr. Northgrave, there are no plans his understanding it is four story.

Mr. Shneer, what happens if it catches fire do we have the equipment to reach that far.

Ms. Nemitz, she has the December 2015 plans and lay out, the whole bottom floor is a parking deck and three floors of units above that. Dr. Acela is going to the Planning Board again on Monday. She feels this is creating a major problem for people who live here, what is a 100 ft. deep residential lot. Can you imagine a four story building on it? It's not reasonable to force this on us.

Bruce Diamond, 74 Calvert Avenue, you are going to put more children in our schools. He would tend to believe most seniors are selling houses, where one goes down and two houses are replaced adding children to our schools where there were none. This isn't even getting into the parking issues. He doesn't understand what we are accomplishing as a town.

Frank Greco, 12 Maida Road, he has heard all the negatives and agrees. What are the ramifications if you vote no tonight?

Mr. Northgrave, nothing gets built. The gas station stays continues on as it is.

There were no other comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Diehl, seconded by Councilmember Coyle and duly carried, the public hearing was closed.

Councilmember Coyle, asked to pull Resolution R.155-032018.

The following Resolutions R.140-032018 through R.154-032018 and R.156-032018 through R.164-032018 were adopted under the Consent Agenda on a motion made by Councilmember Sendelsky and seconded by Councilmember Gomez.

RESOLUTION R.140-032018

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING MARCH 8, 2018.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 8, 2018.

FUND	AMOUNT
Current	\$25,769,432.63
Sewer Utility	2,107,833.43

Capital	187,935.61
Grant Funds	1,685.12
Dog (Animal Control)	10,553.45
Trust	173,032.64
CDBG	0.00
Tree Fund	6,385.70
Payroll Deduction	563,142.18
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Sanitation Fund	219,643.16
Self Insurance	0.00
Affordable Housing	0.00
Cash Performance	0.00
Developers Escrow	34,823.38
Tree Planting	0.00
Federal Forfeited	0.00
Tax Sale Redemption	401,266.95
Water Operating Fund	0.00
Edison Landfill Closure Trust	0.00
TOTAL	\$29,475,734.25

Nicholas C. Fargo
Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.141-032018

Authorizing refund for redemption of tax sale certificates

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that at various sales of land for delinquent taxes held by the Edison Township Collector of Taxes, Middlesex County, New Jersey, the attached listing of tax sale certificates were sold; and

WHEREAS, the Tax Collector further reports that the said tax sale certificates have been redeemed thereof, and further advises that the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$174,599.69**.

RESOLUTION R.142-032018

Authorizing refund for tax overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments, and

WHEREAS, applications have been made to the Tax Collector for refunds of the said overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided the attached listing; and

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$15,866.30**.

RESOLUTION R.143-032018

Authorizing Accelerated Tax Sale and Fees for 2018

WHEREAS, it is projected that as of November 11, 2018, over 25% of properties located within the Township of Edison will have unpaid municipal charges (i.e. real estate taxes, sewer service charges, and/or any other charges legally imposed by municipality); and

WHEREAS, N.J.S.A. 54:5-19 requires that any unpaid taxes and/or other municipal charges that remain in arrears on the eleventh day of the eleventh month be sold at a tax sale; and

WHEREAS, Chapter 99, Public Laws allows accelerated tax lien sale as of the eleventh day of the eleventh month of the fiscal year upon passage of a resolution of the governing body; and

WHEREAS, the annual accelerated tax sale for the Township of Edison is scheduled to be held on or about December 17th, 2018; and

WHEREAS, the tax sale process is lengthy and costly and places a large financial burden on the general tax base; and

WHEREAS, it is the desire of the Township of Edison to hold taxpayers who cause the tax sale procedure to be held accountable for the fees associated with said sale; and

WHEREAS, N.J.S.A. 54:5-26 provides for direct mailing of the tax sale notices in-lieu of up to two (2) legal advertisements, the costs of which shall be added to the cost of the sale, not to exceed \$25.00 for each set of notices; and

WHEREAS, it is the recommendation of the Municipal Tax Collector that an appropriate direct mail cost for the 2018 tax sale would be Twenty-Five (\$25.00); and

WHEREAS, N.J.S.A. 54:5-38 provides for fees in connection with holding a tax sale, of two (2%) percent of the total of municipal charges, including all interest and penalties, to the date of sale. The two (2%) percent shall not be less than Fifteen (\$15.00) dollars nor more than One Hundred (\$100.00) dollars for each parcel sold; and

WHEREAS, N.J.S.A. 54:5-29 provides for payment prior to the tax sale to include all interest, costs and penalties;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison in the County of Middlesex the Tax Collector is hereby authorized to conduct an accelerated tax lien sale for Calendar Year 2018 delinquencies.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:5-26, the Tax Collector’s office is hereby authorized to send two (2) direct mailings, in lieu of 2 advertisements, and collect a mailing fee of Twenty Five dollars (\$25.00) for each notice mailed; and

BE IT FURTHER RESOLVED, that costs of preparation, administration and advertisement, prior to the sale are hereby determined to be two (2%) percent of the total municipal charges, including all penalties and interest, but not less than Fifteen (\$15.00) dollars and not more than One Hundred (\$100.00) for each parcel.

RESOLUTION R.144-032018

Fixing Rate of Interest, Grace Period, and Year End Penalty for Tax and Sewer

WHEREAS, pursuant to N.J.S.A. 54:4-66.1, taxes in municipalities operating under a calendar based fiscal year shall be payable for the first quarterly installment of the year on February 1, for the second quarterly installment on May 1, for the third quarterly installment on August 1, and for the fourth quarterly installment on November 1; and

WHEREAS, N.J.S.A. 54:4-67 provides that the governing body may fix the rate of interest to be charged for the non-payment of taxes, assessments &/or other municipal liens or charges; and

WHEREAS, N.J.S.A. 54:4-67(a), further provides that taxes shall not be subject to interest charges if payment of any installment is made within the tenth calendar day following the date upon which the same became payable; and

WHEREAS, N.J.S.A. 54:4-67 (c), provides that within the current fiscal year if any delinquency is in excess to \$10,000.00, a penalty not to exceed 6% may be charged; and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:4-66 et seq, the rate of interest to be charged on delinquent taxes and all other municipal liens or charges for the first, second, third and fourth quarterly installments of year **2018** shall be eight percent (8%) per annum on the first \$1,500.00 of delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment to the collector is received provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which same became payable; and

BE IT FURTHER RESOLVED, that the rate of interest on unpaid sewer utility for **2018** bills shall be eighteen percent (18%) per annum on any delinquency to be calculated from the date the bill was payable until the date of actual payment, provided that no interest shall be charged if payment of any bill is made within thirty (30) calendar days following the billing date or before the tenth calendar day following the date upon which same became payable, whichever is later; and

BE IT FURTHER RESOLVED, that a penalty of six percent (6%) be charged on all delinquent municipal charges in excess of \$10,000.00 that are not paid prior to the end of **2017** calendar year.

RESOLUTION R.145-032018

Authorizing Processing or Cancellation of Small Balances for 2018

WHEREAS, the Municipal Tax Collector informs that from time to time there are credits or delinquencies in property tax, sewer or other municipal charges on certain property located within the Township of Edison, and

WHEREAS, N.J.S.A. 40A:5-17.1 authorizes a municipal governing body to adopt a resolution designating a municipal employee to, on its behalf, process or cancel property tax refunds under ten dollars and cancel any property tax delinquencies under ten dollars, and

WHEREAS, The enactment of P.L. 2013, c.54 has expanded the scope of statute N.J.S.A. 40A:5-17.1 to encompass any delinquent charges or fees imposed by the municipality, so long as the delinquency is less than \$10.00, and

WHEREAS, that the Municipal Tax Collector is qualified, and recommends, to process said cancellation in his continuing effort to maintain the highest level of fiscal responsibility and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Municipal Tax Collector is hereby authorized to, on its behalf, process or cancel refunds of property tax, sewer charges and other municipal charges under ten dollars (\$10.00) and cancel delinquencies of property tax, sewer charges and other municipal charges under ten dollars (\$10.00) during the calendar year of **2018** in accordance with N.J.S.A. 40A:5-17.1 as amended by P.L. 2013, c.54.

RESOLUTION R.146-032018

Escheating Tax Sale Premiums to Edison Township

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that there exists tax sale premiums, as listed below, that have been held longer than five years by the Township of Edison in an interest bearing account designated for such tax sale premiums; and

TAX SALE CERTIFICATE	DATE OF SALE	PREMIUM ESCHEATED	CURRENT STATUS
12-00355	12/17/2012	3,100.00	Foreclosed 02/16/2017
12-00466	12/17/2012	6,200.00	Foreclosed 08/08/2016

11-00815	12/19/2011	5,000.00	Foreclosed 07/23/2015
10-00272	12/13/2010	300.00	Foreclosed 03/07/2016
09-00062	06/25/2009	2,000.00	Foreclosed 02/14/2017
09-00519	06/25/2009	30,000.00	Foreclosed 05/23/2012
09-00606	06/25/2009	10,000.00	Foreclosed 07/26/2012
07-00109	06/21/2007	5,000.00	Foreclosed 03/13/2013
07-00243	06/21/2007	400.00	Foreclosed 05/17/2012
07-00708	06/21/2007	3,000.00	Foreclosed 03/17/2011
07-00108	06/21/2007	1,100.00	Open
	Total =>	\$66,100.00	

WHEREAS, N.J.S.A. 54:5-33 states that all tax sale premiums held for longer than five years must escheat to the municipality.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length, and that the tax sale premiums held by the Township of Edison, for the tax sale certificates listed above, be and are hereby escheated to the Township of Edison general fund.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks from the appropriate tax sale premium account to the benefit of the Township of Edison in the amounts specified on the above listing totaling **\$66,100.00**.

RESOLUTION R.147-032018

TEMPORARY BUDGET APPROPRIATIONS

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-20, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of budget; and

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 20, 2018 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2018 Calendar Year Budget,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey that the following Temporary Emergency Appropriations be made and that a certified copy of this Resolution be transmitted to the Director of Finance for her record.

<u>CURRENT FUND</u>	<u>AMOUNT</u>
COMMUNICATIONS/EDISON TV Other Expenses	13,000.00
TOTAL CURRENT FUND	13,000.00

RESOLUTION R.148-032018

EXPLANATION: THIS RESOLUTION REAPPOINTS LINA VALLEJO AS TAX COLLECTOR FOR THE TOWNSHIP OF EDISON AND CONFIRMS HER TENURE STATUS.

WHEREAS, Lina Vallejo was appointed as Tax Collector for a four (4) year term commencing January 1, 2014 and ending on December 31, 2017 by Council Resolution R.189-032013; and

WHEREAS, Lina Vallejo has fulfilled the duties and responsibilities as Tax Collector during the past four years, has completed the continuing education and holds a current CTC Certificate as required by N.J.S.A. 40A:9-145.2 and N.J.A.C. 5:33-2.1 et seq.; and

WHEREAS, the Mayor now submits her reappointment as Tax Collector, subject to the advice and consent of the Municipal Council; and

WHEREAS, pursuant to N.J.S.A. 40A:9-145.8 any person who has served as Tax Collector for not less than four consecutive years immediately prior to such reappointment shall not be removed therefrom for political reasons but only for good cause and after proper hearing before the Director of the Division of Taxation.

NOW, THEREFORE BE IT RESOLVED, that the Township Council does hereby grant its advice and consent to the reappointment of Lina Vallejo as Tax Collector for a four (4) year term, with said reappointment commencing January 1, 2018; and

BE IT FURTHER RESOLVED that this Township Council confirms that Lina Vallejo has, by virtue of compliance with the provisions of N.J.S.A. 40A:9-145.8, attained the status as a tenured Tax Collector.

RESOLUTION R.149-032018

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT, LLC TO UPGRADE, REPAIR AND REPLACE VARIOUS NETWORKING INFRASTRUCTURE AT TOWNSHIP FACILITIES

WHEREAS, there is a need to upgrade, repair and replace various networking infrastructures at Township facilities; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 has been awarded State Contract Number 87722 under M-7000/DATA COMMUNICATIONS EQUIPMENT; and

WHEREAS, in accordance with the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, public bidding is not required when the purchase is under a state contract; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00 cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$10,000.00 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 as described herein.

2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 87722 under M-7000.

RESOLUTION R.150-032018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT LLC FOR THE FURNISHING OF HEWLETT PACKARD COMPUTER EQUIPMENT FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase various computer equipment for the Township of Edison; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061, has been awarded State Contract Number 89974 under M-0483/NASPO Valuepoint Computer; and

WHEREAS, in accordance with the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, public bidding is not required when the purchase is under a state contract; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00 cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$35,000.00 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 89974 under M-0483.

RESOLUTION R.151-032018

WHEREAS, the Edison Department of Health and Human Services, through the Edison Municipal Alliance (EMA), established the noted program 22+ years ago, which it continues to effectively administer for the documented benefit of local children and their families to encourage positive, healthy behavior as an alternative to deleterious and potentially dangerous conduct, contact and activities; and

WHEREAS, AMC Cares, Inc. (a Corporate Philanthropy) has grant funds available for programs and services for local youth; and

WHEREAS, the Edison Department of Health and Human Services, through the EMA program, intends to apply for grant funding for a maximum amount of \$25,000 from AMC Cares to support its established and continuing Summer Program during 2018-2019 for participating, local children; and

WHEREAS, no cash match is required in order to request grant funding from AMC Cares; and

WHEREAS, EDHHS EMA will document any and all in-kind values in relation to AMC Cares grant funding, as to additional support that may be received from public and private resources as to its 2018-2019 Summer Program; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded by AMC Cares for activities as described in its application for said funds and in

compliance with all applicable Program, County State and Federal, agency requirements, guidelines, regulations and statutes;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby approve and authorize the development and submission of a viable grant application to AMC Cares at a regularly-scheduled, Public Meeting on the evening of Wednesday, March 14, 2018.

RESOLUTION R.152-032018

RESOLUTION OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES VARIOUS PROFESSIONAL SERVICES AND PROJECT COSTS FROM PROCEEDS OF DEBT OBLIGATIONS

WHEREAS, the Township of Edison, in the County of Middlesex, New Jersey (the “Township”) intends to provide for the closure of the Township of Edison Landfill as more fully described in Exhibit A attached hereto (the “Project”);

WHEREAS, the Township intends to finance the Project with debt obligations of the Township but may incur and pay for consulting services in connection with the Project (“Project Costs”) prior to the issuance of debt obligations with funds of the Township which are not borrowed funds;

WHEREAS, the Township reasonably anticipates that obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), will be issued by the Township to finance the Project on a long-term basis; and

WHEREAS, the Township desires to preserve its right to treat an allocation of proceeds of the debt obligations to the reimbursement of Project Costs incurred and paid prior to the issuance of the debt obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison, in the County of Middlesex, New Jersey as follows:

Section 1. The Township reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of debt obligations with proceeds of it debt obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Township’s official intent to reimburse the expenditure of Project Costs incurred and paid prior to the issuance of the debt obligations with the proceeds of a borrowing to be incurred by the Township, in accordance with Treasury Regulations Section 150.2.

Section 3. The maximum principal amount of the debt obligations expected to be issued to finance the project is \$28,971,547.99.

Section 4. The Project Costs to be reimbursed with the proceeds of the debt obligations will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations Section 1.148-10 to avoid arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the debt obligations used to reimburse the Township for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds,” including “sinking funds,” “pledged funds,” of funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations Section 1.148-1) of the debt obligations or another issue of debt obligations of the Township, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations Section 1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the debt obligations is paid, or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulations Section 1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

Section 7. This resolution will take effect immediately.

RESOLUTION R.153-032018

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Site Access Agreement with Sovereign Consulting, Inc. and Akzo Nobel, Inc. with respect to the remediation work to be performed at Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps.

WHEREAS, Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps (the “**Property**”) is owned by the Township of Edison (the “**Township**”) and entry is required by Sovereign Consulting, Inc. and Akzo Nobel, Inc. (collectively, the “**Entrants**”) for environmental remediation work to be performed at the former Akzo Nobel, Inc. plant (the “**Project**”); and

WHEREAS, access to the Property is necessary as the Project will require remediation and replacement of soil on and adjacent to the Property; and

WHEREAS, the Township and the Entrants desire to enter this Site Access Agreement to establish the terms pursuant to which the Entrants shall undertake their work on the Project, and related matters; and

WHEREAS, the work to be performed by the Entrants at the Property shall be at no cost to the Township; and

WHEREAS, the Site Access Agreement attached hereto between the Township and the Entrants (the “**Agreement**”) has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the Entrants.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney and attorneys for the Entrants.
3. This Resolution shall take effect immediately.

RESOLUTION R.154-032018

EXPLANATION: A Resolution in support of the Board of Education of the Township to address student overcrowding.

WHEREAS, the Board of Education of the Township of Edison (the “**Board of Education**”) seeks to address student overcrowding in the public schools of the Township of Edison (the “**Township**”); and

WHEREAS, to address student overcrowding and the related issues, the Board of Education announced the formation of a task force to examine student overcrowding and to make recommendations about how to address the problem; and

WHEREAS, the Township School District received approximately 1,105 new, registered students for the 2017-18 school year, an increase of nearly 500 students from the previous school year; and

WHEREAS, Woodbrook and Lincoln Elementary Schools currently have more than 30 students per class, with 701 incoming freshman for the 2017-18 school year at John P. Stevens High School; and

WHEREAS, the municipal council of the Township (the “**Municipal Council**”) supports the Board of Education’s effort to prioritize school overcrowding as an issue that impacts students, parents, and teachers and pledges to support the Board of Education in its effort to curtail school overcrowding.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex, New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. This Resolution shall take effect immediately.
3. The Township Clerk is hereby instructed to forward a copy of this Resolution to the President of the Township Board of Education.

RESOLUTION R.156-032018

EXPLANATION: A Resolution referring the 720 Route 1 Redevelopment Plan to the Township Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain property within the municipality constitutes an area in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”), by way of Resolution R. 330.052017 adopted May 24, 2017, authorized and directed the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the property identified as in the area of 720 U.S. Route 1, and more commonly known as Block 182.A, Lots 4.A, 5, 6, 7.Y and 9.A2 on the Township’s tax maps (the “**Study Area**”), and to determine that the Study Area meets the criteria for a Non-Condemnation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on June 19, 2017, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on June 28, 2017, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated the Study Area as an “area in need of redevelopment” (the “**Redevelopment Area**”) in accordance with the Redevelopment Law;

WHEREAS, by commission of the Municipal Council, the Planning Consultant has prepared a redevelopment plan for the Redevelopment Area entitled the “720 Route 1 Redevelopment Plan” (“**Redevelopment Plan**,” attached hereto as *Exhibit A*); and

WHEREAS, the Municipal Council desires to refer the Redevelopment Plan to the Planning Board for its review and comment, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Municipal Council hereby refers the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the Redevelopment Plan and submit same to the Municipal Council within 45 days after referral, as required by the Redevelopment Law.

Section 3. The Clerk of the Township shall forward a copy of this Resolution and the Redevelopment Plan to the Planning Board for review.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.157-032018

EXPLANATION: A Resolution of the Municipal Council certifying compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964.”

WHEREAS, *N.J.S.A. 40A:4-5* as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the councilmembers of the Municipal Council of the Township of Edison have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council of the Township of Edison hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.
3. This Resolution shall take effect immediately.

RESOLUTION R.158-032018

EXPLANATION: Resolution Refunding Cash Performance Bond & Performance Bond to Markim Developers, LLC. Application # Z28-2016, 32 Cinder Road Performance Bond #39872 and Cash Performance Account #CP161231MA

WHEREAS, the Township Engineer advises that an inspection has been made of 32 Cinder Road II Application #Z28-2016 Block:643.DD Lot15W, and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison;

WHEREAS, the Township Engineer, recommends the release of the balance Cash Performance Check posted on January 4, 2017 in the amount of **\$70,589.55**, plus accrued interest, if applicable, on deposit in account **#CP161231MA** with the Township of Edison, principal being Markim Developers, LLC having offices at 910 Amboy Avenue, Edison, NJ 08837., and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends release of balance of the performance bond **No. 39872** posted on November 21,2016 of the Service Insurance Company, Inc. in the amount of the balance **\$635,305.95**

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance balance in the amount of **\$70,589.55** plus accrued interest, if applicable, on deposit in account **#CP161231MA** to the applicant.

RESOLUTION R.159-032018

RESOLUTION AWARDDING CONTRACT/PURCHASE ORDER TO CENTRAL TURF & IRRIGATION SUPPLY FOR ADDITIONAL SUPPLIES FOR THE TWO (2) AERATORS AT LAKE PAPAIIANNI

WHEREAS, there is a need to purchase additional supplies for the two Aerators at Lake Papaiaanni; and

WHEREAS, CENTRAL TURF & IRRIGATION SUPPLY, 429 Bell St., Piscataway, NJ 08854 submitted a quote for the total amount of \$2,168.17; and

WHEREAS, for the year 2017, the Township expended \$19,312.30 with CENTRAL TURF & IRRIGATION SUPPLY, and the current contract/Purchase Order in the amount of \$2,168.17 will make a combined total amount of \$21,480.47 in a twelve month period; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, this Contract is not awarded through a “fair and open process” pursuant to *N.J.S.A.* 19:44A-20.5, *et seq.*; and

WHEREAS, funds in the amount of \$2,168.17 have been certified to be available in the Buildings & Grounds Materials & Supplies Account, number 8-01-26-0310-000-030; and

WHEREAS, prior to contract/Purchase order, CENTRAL TURF & IRRIGATION SUPPLY will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit CENTRAL TURF & IRRIGATION SUPPLY from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

- 3. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$2,168.17 and any other necessary documents CENTRAL TURF & IRRIGATION SUPPLY, 429 Bell St., Piscataway, NJ 08854 for supplies for the Aerators at Lake Papaiani as described herein.
- 4. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.
- 5. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$2,168.17** are available for the above contract in Account No. **8-01-26-0310-000-030**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.160-032018

RESOLUTION AWARDING A RENEWAL CONTRACT TO CRAFT OIL CORP. D/B/A PETRO CHOICE FOR THE FURNISHING OF LUBRICANTS, FLUIDS AND ANTIFREEZE

WHEREAS, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-12-06-Lubricants, Fluids and Antifreeze; and

WHEREAS, R.069-022017 dated February 8, 2017 authorized the first year contract with CRAFT OIL CORP., D/B/A PETRO CHOICE, 950 King George Road, Fords, NJ 08863 which expires on April 5, 2018; and

WHEREAS, the initial contract was for one year with the option to renew for two (2) one year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year expiring April 5, 2019; and

WHEREAS, the total amount of the second year and any succeeding renewal year shall not exceed \$10,000.00 and cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Official are hereby authorized to execute a second year contract with CRAFT OIL CORP., D/B/A PETRO CHOICE, 950 King George Road, Fords, NJ 08863 expiring April 5, 2019 in the amount of \$10,000.00 and any succeeding renewal year subject to and contingent upon appropriation of sufficient funds each renewal year.

RESOLUTION R.161-032018

RESOLUTION AWARDING A RENEWAL CONTRACT TO LUBENET, LLC FOR THE FURNISHING OF LUBRICANTS, FLUIDS AND ANTIFREEZE

WHEREAS, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-12-06-Lubricants, Fluids and Antifreeze; and

WHEREAS, R.070-022017 dated February 8, 2017 authorized the first year contract with LUBENET LLC, 136 Morgan Avenue, Brooklyn, NY 11237 which expires on April 5, 2018; and

WHEREAS, the initial contract was for one year with the option to renew for two (2) one year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year expiring April 5, 2019; and

WHEREAS, the total amount of the second year and any succeeding renewal year shall not exceed \$75,000.00 and cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Official are hereby authorized to execute a second year contract with LUBENET LLC, 136 Morgan Avenue, Brooklyn, NY 11237 expiring April 5, 2019 in the amount of \$75,000.00 and any succeeding renewal year subject to and contingent upon appropriation of sufficient funds each renewal year.

RESOLUTION R.162-032018

RESOLUTION AWARDING A RENEWAL CONTRACT TO DAVID WEBER OIL CO. FOR THE FURNISHING OF LUBRICANTS, FLUIDS AND ANTIFREEZE

WHEREAS, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-12-06-Lubricants, Fluids and Antifreeze; and

WHEREAS, R.071-022017 dated February 8, 2017 authorized the first year contract with DAVID WEBER OIL CO., 601 Industrial Rd., Carlstadt, NJ 07072 which expires on April 5, 2018; and

WHEREAS, the initial contract was for one year with the option to renew for two (2) one year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year expiring April 5, 2019; and

WHEREAS, the total amount of the second year and any succeeding renewal year shall not exceed \$20,000.00 and cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Official are hereby authorized to execute a second year contract with DAVID WEBER OIL CO., 601 Industrial Rd., Carlstadt, NJ 07072 expiring April 5, 2019 in the amount of \$20,000.00 and any succeeding renewal year subject to and contingent upon appropriation of sufficient funds each renewal year.

RESOLUTION R.163-032018

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO FIRST PRIORITY EMERGENCY VEHICLE FOR PURCHASE AND INSTALLATION OF STORAGE CABINETS FOR INVESTIGATION EQUIPMENT FOR FIRE PREVENTION VEHICLES

WHEREAS, quotes were solicited by the Township of Edison for purchase and installation of storage cabinets for investigation equipment for Fire Prevention Vehicles for the new 2018 Ford Explorer, Car-5-1 and Car 5-4; and

WHEREAS, FIRST PRIORITY EMERGENCY VEHICLE, 2444 Ridgeway Blvd., Bldg. 500, Manchester, NJ 08759, submitted the lowest quote in the total amount of \$13,903.00 (\$4,634.334 each); and

WHEREAS, funds in the total amount of \$13,903.00 have been certified to be available in the Fire Prevention Motor Vehicle Parts & Accessories Account, No. 8-01-25-0265-002-034; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All quotes have been reviewed and the quote in the amount of \$13,903.00 by FIRST PRIORITY EMERGENCY VEHICLE, 2444 Ridgeway Blvd., Bldg. 500, Manchester, NJ 08759 is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$13,903.00 and any other necessary documents, with FIRST PRIORITY EMERGENCY VEHICLE as described herein

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$13,903.00** are available for the above contract in Account No **8-01-25-0265-002-034**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.164-032018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO SHI INTERNATIONAL CORPORATION FOR THE RENEWAL OF THE EMERGENCY NOTIFICATION SYSTEM FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for the renewal of the emergency notification system for the Township of Edison for the period of March 31, 2018 – March 30, 2019; and

WHEREAS, SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873 has been awarded State Contract Number 89851 under M-0003 Software License & Related Services; and

WHEREAS, in accordance with the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, public bidding is not required when the purchase is under a state contract; and

WHEREAS, the maximum amount of the purchase shall not exceed \$28,700.81; and

WHEREAS, funds in the amount of \$28,700.81 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment, Account No. 8-01-25-0250-000-026, subject to and contingent upon appropriation of sufficient funds in the 2018 temporary and/or permanent budget, and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$28,700.81, and any other necessary documents, with SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 89851 under M-0003.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$28,700.81** are available for the above in **Account No. 8-01-25-0250-000-026**, subject to and contingent upon appropriation of sufficient funds in the 2018 temporary and/or permanent budget.

/s/ Nicholas C. Fargo
Chief Financial Officer

AYES - Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi, Sendelsky, and Council President Patil

NAYS - None

The following Resolution will be voted upon separately:

RESOLUTION R.155-032018

EXPLANATION: A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with 979 Amboy Avenue, LLC regarding the area in need of rehabilitation known on the Township tax maps as Block 730.G, Lot 28.A (aka 979 Amboy Avenue).

WHEREAS, the municipal council of the Township (“**Municipal Council**”) directed the Township planning board (“**Planning Board**”) to investigate the property bounded by Amboy Avenue and Hoover Avenue to the North, I-95 New Jersey Turnpike to the East, Pierson Avenue to the West and the Middlesex Greenway to the South, which included, amongst other parcels, whether Block 730.G, Lot 28.A, on the tax maps of the Township, constitutes as an “area in need of rehabilitation” as defined in the Redevelopment Law pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (“**Redevelopment Law**”); and

WHEREAS, the Planning Board conducted an investigation and prepared a study and map of the boundaries of the Township and made a recommendation to the Municipal Council to designate the Study Area as an area in need of redevelopment; and

WHEREAS, based upon the recommendation of the Planning Board, the Municipal Council on October 28, 2015 adopted a resolution to designate the Study Area as an “area in need of rehabilitation” in accordance with the Redevelopment Law (the “**Rehabilitation Area**”); and

WHEREAS, in accordance with the Redevelopment Law, a redevelopment plan prepared by the Township’s Planner entitled ‘Amboy Avenue Redevelopment Plan’ dated April 2016 (the “**Redevelopment Plan**”) including the Study Area was referred to the Planning Board for its review and recommendation by the Municipal Council; and

WHEREAS, in accordance with the Redevelopment Law, the Planning Board of the Township reviewed the Redevelopment Plan and recommended its adoption; and

WHEREAS, after reviewing the Planning Board’s recommendation, the Municipal Council adopted the Redevelopment Plan by ordinance on August 24, 2016; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Township has determined to act as the “**Redevelopment Entity**” (as such term is defined at *N.J.S.A. 40A:12A-3*) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

WHEREAS, 979 Amboy Avenue, LLC (the “**Redeveloper**”) desires to be designated as the “redeveloper” (as such term is defined in the Redevelopment Law) to implement the construction of a four-story, multi-use building, including twelve (12), one (1) bedroom garden apartments, twenty three (23), two (2) bedroom garden apartments, two (2), three (3) bedroom garden apartments, 1,850 square feet of retail space and 75 parking spaces constructed with thirty-seven (37) spaces provided in a garage on the first floor of the building, and the remainder of the spaces being provided along Liddle Avenue and Amboy Avenue along the building frontages (the “**Project**”); and

WHEREAS, Redeveloper is the owner of the Rehabilitation Area; and

WHEREAS, the Township has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise to implement and complete the rehabilitation of the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the Township and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Redeveloper’s rehabilitation of the Project (the “**Redevelopment Agreement**”); and

WHEREAS, the Township has determined the Project to be in the vital and best interests of the Township, and that it promotes the health, safety, morals and welfare of the Township’s residents; and

WHEREAS, the Township desires to designate the Redeveloper as the redeveloper of the Project and to authorize the execution of the Redevelopment Agreement,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Municipal Council hereby authorizes the execution of a redevelopment agreement with the Redeveloper in substantially the form attached hereto as **Exhibit A** and by this reference incorporated herein.

Section 3. The Mayor is authorized to execute the Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto, with such additions, deletions and modifications as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. 979 Amboy Avenue, LLC is hereby designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.

Section 5. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 6. A copy of this Resolution shall be filed and available for public inspection at the in the offices of the Township.

Section 7. This Resolution shall take effect immediately.

Councilmember Coyle, he has not fully finished reading this document. He is confused where his responsibility starts and stops. He needs to take a deeper dive. He would like to table this resolution.

Councilmember Diehl agrees with Councilmember Coyle and with the public. He is concerned with a four story building in Clara Barton. He is not against redevelopment. We would be totally changing the look in the neighborhood, adding children to school and parking on streets. This is a nice neighborhood not sure with new thinking at the expense of the residents. He will not be voting affirming.

Councilmember Gomez, a lot of effort in the planning to enhance Clara Barton. We want to make the area better, an area in need of redevelopment. I don’t understand when we have got through the process of the Redevelopment Plan.

Councilmember Lombardi, this just didn't come overnight, a lot of work went into the Redevelopment plan. If it is in the plan that was approved, we have to have faith in our Planning Board. If you would like to table, he will be in favor.

Mr. Northgrave, the plan is three stories over parking. This is what was approved in the Redevelopment Plan.

Councilmember Lombardi, added Fifteen percent goes toward our COAH obligation.

Councilmember Sendelsky, everyone on this council voted for the plan except Sam because he wasn't on council then.

Council President Patil, the big issue is the parking and access to Liddle Avenue. The Town doesn't own Liddle Avenue. Secondly, two or three bedrooms brings more cars. He feels we should limit to one bedroom.

Councilmember Gomez , we put time and effort in the plan for us to go back to investor to limit to these guidelines.

Councilmember Diehl, he would rather go back to investor.

Councilmember Coyle appreciates all the feedback. He knows things are going to be built on Amboy Avenue however, he grew up there and is very passion about Clara Barton .

Councilmember Gomez, we wet the plan, we will have to move forward. He will allow you more review but the purpose is to move the area forward.

Councilmember Lombardi, Heyer & Gruel did identify some property but we don't own them.

A motion was made by Councilmember Joshi seconded by Councilmember Diehl to table this Resolution.

AYES - Councilmembers, Coyle, Diehl, Gomez, Joshi, Lombardi, Sendelsky and Council President Patil

NAYS - None

This resolution was tabled.

ORAL PETITIONS AND REMARKS

Council President Patil opened the meeting for public comment.

Bruce Diamond, 74 Calvert Avenue, as he remembers form the plan Mr. Northgrave pointed out is wasn't really appropriate for retail. It started out as three levels, the planner said it wasn't economic to builders that how we got to four stories. We have just increased the value of the property it will cost if you want to buy land. We should set up a subcommittee for the residents like we did for Top Golf.

Mr. Northgrave., there is retail required on the fronting of Amboy Avenue.

Mr. Diamond, Lois forwarded to all an article about \$15,000 limit to pay out of time when retire, I hope you write letters to support. Builders always get what they want when it comes to variances. What about floor area ratio?

Councilmember Joshi has received many phone calls about the floor area ratio, first we need to get the data to see how many people have gone over. Once we have the data we can move forward with a plan.

Mr. Diamond asked what it would cost to fix the problem of water on Calvert. It isn't fair the residents have to pay for the problems made by the builders and or past Engineer.

Mr. O'Brien, he couldn't even tell him what it would cost. He will be come up with options. We will do the best economic way to get it done.

Mr. Diamond asked about the Sam Khan report which Mr. Northgrave said on Monday he would have.

Mr. Northgrave will deliver the report before the meeting is adjourned.

Ranjeeta Sinvhal, 12 Ramsey Road, Ramsey Road is so bad you can't even walk. Utica and Tuscan Road, a resident has lived there for 45 years and that road has never been paved. She met with Brian and Anthony back in August of 2017 they all agreed the road needed fixing. Ramsey Road doesn't even have gutters, water freezes over. She feels it has been enough time to assess, now is time for action.

Resident, 20 Ramsey Road, we also need some stop signs and speed bumps to slow down the traffic.

Joshi – 4 Utica Road and Parker corner – every fix on road it comes back out – difficult to walk –

Council President Patil asked the Engineer what is the plan of action.

Mr. O'Brien explained the town has 3,000 Roads, last year we did 80 roads we are working on putting together the 2018 Paving Program and tie it to the Capital Budget. The Engineering Department is putting together a plan moving forward to team up with utility companies. We should have within the next few months.

Mr. Gockel, 77 Safran Avenue, he has been a resident since 1929. He missed Ms. Shah's last meeting to wish her good luck, he will miss her. He asked about solicitor/canning permits on corners why the same organizations get every weekend.

Resident, Parker Road, there is a safety issue people speeding on the road.

Ms. Ruane, will have patrol in the area. We are not putting in speed bumps.

Councilmember Joshi, he is familiar with all of those streets. We completely hear everything you are saying although it's frustrating the Engineer Department is working on it, it's not falling on deaf ears.

Resident, asked what is the criteria for paving.

Councilmember Gomez, up to about 4 years ago the roads in Edison were neglected. This Administration and Council has launched the largest project for paving. We have invested significant amount of money in paving.

Mr. O'Brien, explained the criteria is drainage, amount of traffic, accidents and coordination with utility companies.

Resident, 40 Utica Road, can the plan be public.

Mr. O'Brien, once the list is produced it will be public.

Irene Wall, 205 Fleet, she is living here 50 years you have to be very patient. Speed bumps don't work.

Chris Triano, Hill Road, he is Vice Chairman of Environmental Commission our funds are most from donations.

Resident, paving and gutters on Ramsey, Utica and Tuscan need paving.

Karen Halo, First Street, she thanked the council just be prudent.

Mr. Northgrave he gave his report on Mr. Khan's domicile in Edison.

Hearing no further comments from the public Councilmember Gomez made a motion to close the public hearing, which was seconded by Councilmember Sendelsky and duly carried.

Having no further business to discuss, on a motion made by Councilmember Diehl seconded by Councilmember Lombardi the meeting was adjourned at 9:54 p.m.

Ajay Patil
Council President

Cheryl Russomanno, RMC
Municipal Clerk